

is when there is a committee hearing and in the committee hearing, as we all agree, there are irresponsible attacks sometimes made on outstanding citizens.

We are speaking here of the vote, and that is what this refers to, a vote on a bill, a vote on a resolution, a vote on an election of an officer, a vote on a confirmation.

THE CHAIRMAN: Delegate Bamberger.

DELEGATE BAMBERGER: Delegate Sherbow, do you yield to a question?

DELEGATE SHERBOW: Yes.

THE CHAIRMAN: Delegate Bamberger.

DELEGATE BAMBERGER: Your intent is to avoid character assassination in committee, but if a delegate wants to assassinate a delegate, you want that public?

DELEGATE SHERBOW: I think he will be sufficiently responsible that he will not injure another delegate. I am talking where a man is appointed to the United States Supreme Court, or as Solicitor General, or a state officer, where somebody who has had a bad time, or thinks he has, writes in a letter that is so bad that the newspaper says, when they get it, unless we were protected against libel we would not handle it.

These are the kinds of things I am talking about. I do not think the members of the Senate and the House are going to be guilty of character assassination.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: When the nominees are confirmed the Senate is meeting as a Committee of the Whole. The House has nothing to do with those appointments. It is up to the Senate.

There are times when a person is hurt, his character is hurt by such statements, that sometimes cannot even be proven, and if you are going to have that in open session, then I am afraid a lot of innocent people are going to get hurt, and you are going to deny to the State a number of qualified and decently respectable people who will refuse to have their names submitted to the Senate to be confirmed if it is going to be in the open.

When the Committee of the Whole refuses to go along with a nominee, we then ask the governor to withdraw the name, and there is no vote taken in public, and no one knows what the vote is as a Committee of the Whole. So, Delegate Sherbow,

I think you are hurting the individuals that may be state officers.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I am afraid we have gotten away from what we really are talking about. All that this says is that a vote shall be taken only in public session.

If the rules of the House and Senate provide that in the Senate, for example, in executive session that the debate be in secret, so be it. But if they vote, and this is what we are talking about, if they vote on a bill, on a resolution, on the election of an officer, or on confirmation, the vote is all that we are talking about, and it shall be in public session.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, I would seriously hope that this amendment is approved by the Committee of the Whole. I guess for the first time during the course of this debate I have heard some references to greenback sessions, and I suppose we are in this area of operations. But I would like to be advised, if I could, by Delegate Della or someone else, as to whether it is possible now to have a confirmation of a state officer and have that vote sealed in executive session so that it is not available to the public.

If that is possible, then I think it is a deplorable situation, and now is the time we better do something about it, with this amendment.

THE CHAIRMAN: As I understand, Delegate Della said that is not only possible, but the practice. Is that correct? Correct me if I am wrong.

DELEGATE DELLA: That is absolutely true, except that there is a journal kept for the body itself, and the action is recorded in that journal.

THE CHAIRMAN: When you say a journal is kept for the body itself, you mean not available to the public?

DELEGATE DELLA: That is true.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: I assume what you are saying in that connection is when